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AUTHOR Kater, Sue; Levin, John S.
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ABSTRACT

This study consisted of document analysis of collective bargaining agreements of full-time faculty representing public community colleges in 22 states. Documents were analyzed and coded, and sixteen governance areas were identified, including budget, calendar, curriculum, discipline, evaluation, and tenure. In total, 237 contracts representing faculty at 301 community colleges were reviewed. Findings indicated that: (1) the most commonly cited areas of faculty participation, expressed as a percentage of contracts reviewed, were grievance (93%), faculty evaluation processes (52%), sabbatical recommendations (49%), retrenchment (42%), the college calendar (40%), and curriculum (39%); (2) over one-third of the contracts (38%) required faculty participation in the hiring of new faculty; (3) faculty are contractually bound to joint action with administration in decision-making in limited governance areas, primarily grievance (93%); and (4) in 55% of the contracts, variables for the 16 governance areas were not addressed, or there was no indication of the process of decision-making. This study indicates that centralization of decision-making through collective bargaining has not limited faculty in their participation in governance, but rather through contractual agreements expanded their influence and participation. Economizing behaviors, represented by faculty participation in governance, are evident in community colleges and are consistent with their integration into the global economy. (Contains 47 references and 4 tables.) (EMH)

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# Shared Governance in Community Colleges in the Global Economy

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Sue Kater
Director Research & Planning
GateWay Community College
108 N. 40th St.
Phoenix AZ 85034
sue.kater@gwmail.maricopa.edu

John S. Levin
Professor
Center for the Study of Higher Education
University of Arizona
Tucson, AZ 85
jlevin@mail.ed.arizona.edu

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## Shared Governance in Community Colleges in the Global Economy

### Introduction

Discussion and debate over shared governance are reaching the half-century mark, and these are poised to continue given the changing nature of governance. In recent years a host of environmental conditions have combined to shift the balance of power so that faculty, students, and other internal participants are increasingly forced into minority positions of power and influence in their institutions. "Higher education governance is a dynamic process where the relative influence of any major stakeholder…may ebb and flow" (Hines, 2000, p. 143). The most recent wave of change in governance comes in the form of a virtual tsunami of external influence that threatens to wash away all but remnants of internally focused models of governance.

While acknowledging external conditions affecting governance, we suggest there is still a need to improve the understanding of current relations in internal governance in order to "provide the academic community with basic descriptive data about the present state of governance" (Birnbaum, 1991, p. 4). In particular, there is a need for more research on governance of community colleges, institutions that teach almost half of the students enrolled in higher education, but a segment of higher education which is underrepresented in the scholarly literature. Previous research on governance (Levin, 2000) indicates that although there is limited legal language requiring the practice of shared governance in unionized community colleges, there are formalized processes for faculty to participate in institutional decision-making

(Gilmour, 1991). The findings suggest that faculty are expected to take a participatory role in decision-making in a number of defined areas within their institutions.

The purpose of this research is to demonstrate on a national level in what areas faculty are obligated contractually to participate in institutional decision-making and to frame the results within the context of " economizing behaviors," which are intensifying within community colleges in part as a result of globalization (Levin, 2001a). These obligations are viewed as norms consistent with institutional responses to changing forms of production, referred to as post-Fordism, and reflective of non-hierarchical modes of work, specifically network structures (Castells, 1996).

**Background**

Despite differences in spheres of influence in the governance of their institutions, the role of faculty is steeped in tradition and accepted within the higher education community (Lee, 1980-81; Benjamin & Carroll, 1998). However, contemporary conditions such as globalization, academic capitalism, increasing governmental interaction, and turbulence (Riley & Baldridge, 1977; Kaplin & Lee, 1995; Slaughter & Leslie, 1997; Morphew, 1999; Levin, 2001a) continue to affect the balance of power and players in institutional decision-making. "The legal relationship between a college and its faculty is defined by an increasingly complex web of principles and authorities" (Kaplin & Lee, 1995, p. 150). Untangling this web requires constant attention to the changing face of shared governance in higher education. This current research shifts the focus to areas within unionized community college where

faculty and management share in decision-making as part of "economizing behaviors," including actions designed to increase productivity and efficiency.

Community colleges, consistent with other institutions of higher education (Marginson, 1997; Slaughter & Leslie, 1997; Marginson & Considine, 2000), are increasingly examined in terms of their relation to the larger lattice of political, economic, social, and global influences (Levin, 2001a). Behaviors in community colleges reflect the impact of global economic forces (Schugurensky & Higgins, 1996; Levin 2001a; Twombly & Townsend, 2001) and suggest that community colleges are moving toward the efficiency model akin to McDonald's (Ritzer, 1998). Globalization affects labor relations by precipitating a "managerial transformation…in which economic values predominate" (Levin, 2001a, p. 12).

Globalization influences actions within economic, cultural, technological, and political domains of organizational behaviors (Teeple, 1995; Waters, 1995; Held, McGrew, Goldblatt, & Perraton, 1999). One of the organizational outcomes of the globalization process can be seen in managerial behaviors in community colleges, which emphasize economic efficiency, and these are manifest in practices that distribute managerial work throughout the institution. Part of this distribution of labor is applicable to shared governance, or, more accurately, sharing in the workload of managers. Levin (2001a) suggests that globalization has resulted in 'economizing' organizational behaviors in community colleges where decision-making and resultant actions are increasingly based on economic values rationalized through efficiency and productivity.

Globalization also entails the role of government in mediating and interpreting globalizing forces, particularly through its enabling legislation and policy setting for organizations (Levin, 2001a). For community colleges, the role of government legal authority in collective bargaining and in legislating changes to institutional governance has the potential to shape community colleges as globalized institutions (Levin 2001a). Worker productivity and labor-management stability are two conditions that promote international investment and bring global capital to local sites (Levin, 2001b).

Community college governance structures, with vestiges of secondary education consisting of rational, authoritative decision-making processes, have slowly given way to more participatory processes (Baker & Associates, 1992; Cohen & Brawer, 1996). Legally, the collective bargaining process has allowed for the development of many areas of shared or participatory decision-making and institutional action (Levin, 2000). Sanctioned and required participatory behaviors of faculty in organizational decision-making and actions have become part of the economizing behaviors of community colleges and are consistent with the institution's integration into the global economy. A postmodern perspective suggests that accepted political differences such as seen in the interests of faculty versus administration in essence create a "community of difference" (Tierney, 1993, p. 547) and that successful organizations will be those which are able to develop organizational structures which incorporate differences such as the negotiated outcomes of collective bargaining.

**Governance Models**

Although the tides of governance ebb and flow, the basic models of institutional governance referenced in the higher education literature have remained consistent for decades. Governance models in academe must account for the distinctive characteristics of colleges and universities, which include goal ambiguity, a service orientation, problematic technology, professionalism, and environmental vulnerability (Riley & Baldridge, 1977). These unique organizational characteristics have shaped an image of institutions described by Cohen and March (in Riley & Baldridge, 1977) as organized anarchies.

To provide a framework for describing organizational governance within these organized anarchies, Baldridge et al. (1977) synthesize the literature into "three models…more or less dominating the thinking of people who study academic governance" (p. 9) – the academic bureaucracy, the university collegium, and the university as political system. Factors such as environmental relations, professional task, and institutional size and complexity influence each categorization. Theoretically, centralization of decision-making is directly related to an institution's reaction to external environmental pressure and can be viewed on a continuum of autonomous and prestigious to resource-dependent and market-driven (Baldridge, 1977).

Community colleges, at the market-driven end of the spectrum are commonly referred to as bureaucratic institutions. Primarily influencing our understandings of bureaucracies, the works of Max Weber (Morgan, 1997) have characterized bureaucracies as networks of social groups organized for efficiency and governed by the

principle of legal rationality. Mintzberg (in Morgan, 1997) expands the bureaucratic concept to encompass the professional nature of faculty as experts in the organization creating a "professional bureaucracy", and identifies organizations, such as academic organizations and hospitals, that have as an employee base a number of independent professionals. Hardy (1990) advanced the concept by suggesting that the professional bureaucracy is in fact "the basic building block of universities" (p. 408) but identified the term as more of a structural definition than an operational definition. In descriptions of governance in higher education, the professional bureaucracy can be "overlaid with one or more of a number of different decision-making processes" (p. 410), such as political or collegial. Hardy's work capitalizes on some of the weaknesses of the academic bureaucracy model by integrating issues of power and influence and other dynamic processes into the bureaucratic decision making structure while allowing for changes in the organization over time.

Drawing on Hardy's model (1990), we view community college governance as having as a foundation the professional bureaucracy superimposed with a political model of decision-making. Along the continuum of centralization of decision-making due to hierarchy and environmental influence, community colleges have been described as having the most autocratic governance systems (Baldridge, 1971; Birnbaum, 1988). However, in recent years, authoritative decision- making processes have given way to more participatory processes with a majority of institutions utilizing collective bargaining as a way to manage the political aspects of governance (Fryer & Lovas, 1990; Levin, 2000). Conversely, collegial models are characterized by full participation

in decision-making by participants, where the focus is on internal stakeholders and in which bureaucratic officials have little influence over faculty affairs (Corson, 1960). One of the weaknesses of the model is the "collegial image of round-table decision making [which] is not an accurate description of the processes in most institutions" (Baldridge et al., 1977, p. 13).

The political model of governance incorporates power, conflict and politics to conceptualize academic decision-making, and, of the three models discussed, provides the most accurate account for the influence of the external environment and constituents. Focusing on policy making, the model deconstructs complex organizations for analysis as smaller political systems. Individuals are involved in interest group activities designed to further their interests and values. Some of the assumptions involved in a political model of governance include decision-making as a fluid process with constituents moving in and out of the center of activity, the presence of interest groups who fragment the whole, and conflict between groups – which is seen as normal (Morgan, 1997). The focus of shared governance in the university as a political system is on the balance of powers between numerous constituencies and the negotiations required to develop consensus (Baldridge, 1971). Institutions with strong academic senates or faculty unions operating in a political model of governance have structures that support ongoing faculty participation in institutional decision-making.

Models of governance in higher education lie along a continuum of institutions with prestige and autonomy at one end engaging in more pervasive forms of shared governance to "open door" institutions with high environmental influence and decision-

making more bureaucratic at the other end. "These intersecting forces – collegial, bureaucratic, and political – make academic governance a complicated and often hectic process" (Baldridge & Kemerer, 1977, p. 255).

While governance has received increasing attention in the literature in recent years (Hines, 2000), the focus continues to be on university structures from which governance models originated (Levin, 2000). Community college governance as described in the literature is varied, perhaps because of the diversity of institutions, and perhaps because the governance models we attempt to overlay on the institutions were developed to describe university governance and do not constitute a good fit. Generalizations of "community college" governance as bureaucratic or political or collegial appears incomplete. Therefore, there is a need to improve descriptions of community college governance structures within these unionized institutions to inform both discussion and debate.

**Shared Governance**

Faculty participation in institutional governance is ingrained in theory and practice within the higher education community. Historically, faculty in four-year colleges and universities have been afforded the opportunity to make academic decisions due to the nature of their expertise, intellectual prowess, and standing as professionals (Corson, 1960). Faculty may have legal authority, bureaucratic authority, by nature of their hierarchical position, or professional authority by nature of their expertise and training (Hines, 2000).

Debates over faculty participation in governance and the academic dualism of power and authority often pit current questions of the distribution of power against a mythical vision of a collegial institution where faculty were "engaged in self-governance in a republic of scholars free from interference from administrators and trustees" (Hines, 2000, p. 123). As atypical as idealized collegiality might have been within academia, rarely has it been normative in community colleges, institutions whose organizational systems follow a bureaucratic model with hierarchical decision-making processes placing them at the corporate end of the participatory-corporate governance continuum (Alfred & Carter, 1999; Hines, 2000).

The term "shared governance" began to emerge in the literature following the American Association of University Professor's pivotal "Statement on Government of Colleges and Universities" adopted in 1966 (AAUP, 1966). The statement rallies internal stakeholders - governing boards, administrators, faculty, and students -"in the belief that the colleges and universities of the United States have reached a stage calling for appropriately shared responsibility and cooperative action among the components of the academic institution" (AAUP, 1966, p. 1). By the late 1960s, the stance of the AAUP for increasing consultation and communication between institutional constituencies "had the strength of general tradition" (Duryea, 1973, p. 12).

The early 1970s signaled an early turning point in institutional decision-making (Riley & Baldridge, 1977). The unionization of faculty was still in its infancy, but would grow at a rapid rate; faculty were clinging to their hard-fought influence in governance as increased intervention by state and federal governments foreshadowed a

growing influence of external stakeholders. Scholarly work on the internal focus of governance continued through the 1970s, yet there was some recognition of changing conditions, such as shifts in student demographics, increasing faculty unionization, expansion of service roles, and intervention by external agencies (Corson, 1960; AAUP, 1966; Baldridge, 1971; Duryea, 1973; Baldridge, Curtis, Ecker & Riley, 1977; Mortimer & McConnell, 1978).

The 1980s was a neoconservative period of growth and relative prosperity for higher education and the cultural aspects of organizations and organizational theory began to move to the forefront (Dill, 1982; Tierney, 1988). Governance was depicted in less of a hostile light and a focus on collaboration and consensus through participation began to emerge, perhaps due to the fact that impending fiscal crises had not yet become evident; enrollments were increasing at a steady rate; and the business practices of team-building and empowerment gained favor among management.

Shared governance re-emerged in the literature in the late 1980s on the heels of California's Assembly Bill 1725, which codified the legal authority for higher education in the state between a State Board and local governing boards, while increasing the governance activities and responsibilities of faculty through academic senates. State legislation required management to allow faculty to participate in governance (Piland & Bublitz, 1998; Levin, 2000). Significant as the first judicious requirement for shared governance, the term "shared governance" is not mentioned in the legal language of the California Education Code (Alfred, 1998; Piland & Bublitz, 1998; Levin, 2000).

Higher education is currently in what has been described as a "state period," succeeding the "federal period" in a transfer of power and influence from the federal government to state legislators, governors, coordinating bodies, and innumerable planning and budgetary committees who now comprise the majority stakeholders for higher education (Hines, 2000). The decade of the 1990s, with increasing board activism, declining resources and increasing enrollments, more governmental intervention, globalization, public distrust and calls for accountability have coalesced in a resurgence of interest and inquiry into the nature of academic governance (Hardy, 1990; Gilmour, 1991; Deas, 1994; Rhoades, 1997; Alfred, 1998; Piland & Bublitz, 1998; Morphew, 1999; Thaxter & Graham, 1999; Hines, 2000; Levin, 2001a) with a concomitant increase in union activity (Arnold, 2000).

**Collective Bargaining in Higher Education**

Faculty unions within the academy, particularly at the university level, have been controversial since their inception, aiming "at the heart of the academic enterprise, questioning assumptions about the role of a faculty and about the distribution of resources and power within institutions of higher education" (Arnold, 2000, p. 2). The professional nature of faculty work with emphasis on independent thought and action is contradictory to the notion of consolidation through union activity, as centralization of decision-making through collective bargaining theoretically limits faculty in terms of participation in governance (Toma, 2001). "When faculty in higher education turned to unionism, they invoked a conceptual model that had little in common with the conception of a faculty as a rarified and privileged group" (Arnold, 2000, p. 20).

Faculty collective bargaining grew in response to increased bureaucratization in higher education and the increasing gulf between faculty who have responsibility for the integral functions of teaching and research and administrative authorities who have formal authority (Arnold, 2000). Increasing tensions between faculty and administration fueled the flames of unionization as both sides struggled over areas of influence. "The unionization process is played as if it were a zero sum game: for one group to get power, another must lose it" (Arnold, 2000, p. 137). Baldridge (in Williams & Zirkel, 1988, p. 90) states "the contract is a vehicle for retaining faculty power where it exists, regaining power where it has been lost, and seizing power where it was never before theirs".

In addition to the rapid growth of higher education in terms of enrollments and institutions as well as layers within institutions, economic and legal conditions also combined to create a positive growth environment for unionism within higher education in the mid-1960s. Arnold (2000) broadly divides the historical growth of faculty unionism into three periods. The early period grew out of enactment of enabling legislation, which allowed for public sector bargaining combined with some degree of legitimation of collective bargaining within academe. By 1997, approximately half of the states in the United States and the District of Columbia had enacted legislation establishing the duty of employers to bargain with unions representing public colleges and universities (Saltzman, 1998). Recessional economic conditions during this period also helped ignite the faculty union movement. The early period encompassing the 1960s through the 1970s saw rapid growth in public sector bargaining facilitated by

recruitment efforts by national organizations such as the American Federation of Teachers (A.F.T.), National Education Association (N.E.A.), and the American Association of University Professors (A.A.U.P.).

The second phase began in 1980's following the U.S. Supreme Court's *Yeshiva* decision, and brought a death knoll to private sector bargaining within academe. The Court's ruling extended exemption from the bargaining units to all faculty in private institutions rather than a limited number of department or division chairs which had historically been the case (Arnold, 2000). However, Lee (1980-81) argues that neither the Court nor the National Labor Relations Board completely considered the complex nature of faculty in governance.

> Studies of the faculty governance role within a college or university tend to contradict some of the findings and assumptions made by the Court. While the Court assumed that all full time faculty at Yeshiva were equally active in governance, and thus could all be classified as managerial employees, researchers have found that at most institutions, less than one fifth of the faculty participate actively in institutional governance (Lee, 1980-81, p. 253).

Nevertheless, the damage was done and political actions against unions by then-President Ronald Reagan continued what *Yeshiva* had started, a reduction in union activity within higher education (Arnold, 2000).

The late 1990s marked the beginning of the current phase with a resurgence and transformation of collective bargaining, which may result in an increasing trend toward labor-management partnerships and collaborative processes as parallel systems to collective bargaining (Arnold, 2000; Woodworth & Meek, 1995). Although one of the major assumptions of labor-management behavior is that conflict is inherent and should

be managed through an adversarial system, a historical look at United States labor relations indicates that there have been times where "waves of labor-management cooperation spread across the national economy" (Woodworth & Meek, 1995, p. 2). One preceptor of increased cooperative labor-management relations has been the rise of international competition and the dominance of foreign firms in U.S. markets overseas and at home. Labor relations officials in the 1980s began to take note of the collaborative policies and participatory management styles utilized by foreign competitors (Woodworth & Meek, 1995).

Hierarchically, the faculty union movement spread from public school teachers to two-year colleges and eventually to four-year colleges and universities. "Collective bargaining in higher education first appeared in the two-year college setting, at institutions such as Milwaukee Technical Institute, where collective bargaining was adopted in 1963" (Arnold, 2000, p. 137). Community college faculty, employed at institutions which occupy the lowest levels in the stratification of higher education in the United States were the most likely to support collective bargaining as a way to improve their working conditions.

Unionized community colleges are a majority of all public community colleges and 94 percent of faculty in public two-year colleges have bargaining rights (Rhoades, 1998). In 1997, there were 114,530 full-time faculty at public community colleges covered by a collective bargaining agreement (Hendrickson, 2000). Community college governance structures, with vestiges of secondary education consisting of rational, authoritative decision making processes, have slowly given way to more participatory

processes. Over the past thirty years, there have been changes in bargaining issues within faculty contracts, with movement from priorities of monetary compensation (in the face of declining enrollments resulting in budget cuts) to personnel matters such as formalizing tenure policies and strengthening the role of faculty in institutional governance. "Faculty members desired a greater degree of participation in decision making and sought entry into formal decision-making structure when collegial governance mechanisms were unable to satisfy their needs" (Williams & Zirkel, 1988, p. 77). These participatory processes have become part of the economizing behaviors consistent with community colleges' integration into the global economy (Levin, 2001a).

**Method**

This study consists of document analysis of collective bargaining agreements of full-time faculty representing public community colleges in twenty-two states. Documents, which were in effect from the mid-1990s through early 2000s, were analyzed and coded utilizing Levin's (2000) analytical framework. Contractual language was coded into discrete governance categories: "management" (indicating management and/or board representatives as the sole decision-makers), "faculty participation" (utilized in clauses where faculty have an advisory role but are not the final decision-makers), "joint action" (shared decision-making), or "silent" (utilized when the topic is not specifically discussed or final authority not indicated).

Sixteen governance areas were identified for coding which include budget, calendar, curriculum, discipline, evaluation, faculty hiring, general problems, grievance,

harassment, management hiring, new positions, professional development, program changes, retrenchment, sabbatical, tenure. California had one additional area of coding, "faculty service area" which was exclusive to the state. The entire population of full-time faculty contracts for community colleges in California, Hawaii, Illinois, Oregon and Washington which were accessible utilizing the Higher Education Contract Analysis System (HECAS) created by the NEA (1995-96) were analyzed utilizing Levin's (2000) analytical framework for shared governance.

Additionally, the entire population of full-time faculty contracts for community colleges in Florida, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Jersey, New York, Ohio, Oregon, Pennsylvania and Rhode Island from the 1998-99 HECAS (NEA) were coded, completing the database available for the identified states between the 1995-96 and 1998-99 HECAS CD ROMs. A small number of additional contracts from colleges in the study states were reviewed as they were obtained in the course of the research [for example Miami-Dade Community College]. Different HECAS databases were utilized (NEA, 1995-96, 1998-99) due to the time frame in which the contract analysis took place. The states analyzed from the 1995-96 database are part of Levin's (2000) study of shared governance in the United States and Canada. The research continued as additional HECAS databases became available.

In total, 237 contracts representing full-time faculty at 301 community colleges have been reviewed. The numbers vary due to the fact that one contract may be representative of a number of institutions. For instance, the Minnesota Community

Colleges Faculty Association contract represents faculty at twenty campuses. When reporting data representative of sub-cases, the decision must be made to aggregate (or not) individual cases depending upon the analytical framework. We made the decision to disaggregate HECAS contracts by college where contracts were representative of districts in order to help prevent bias of the results in the quantitative analysis (NEA, 1995-96, 1998-99). Disaggregation may result in some redundancy as noted by Johnstone (1981) in his analysis of collective bargaining agreements at four-year institutions. Of the approximately 980 public community colleges[1] (A.A.C.C., 2001), contracts representing 301 institutions were reviewed.

**Findings**

There is legal language in the contracts that compels faculty to participate in institutional decision-making, an emerging economizing behavior of community colleges and a managerial benefit in improving institutional productivity (Levin 2001a). Document analysis indicates that faculty participate in governance in a number of areas (Tables 1 & 2 in appendix). Pearson chi-square analysis of independence indicated that the level of faculty participation in governance is independent of governance area across variables, with an asymptotic significance of 0.00 for each variable (Table 3 in appendix). Appropriate for large data sets, the significance level based on the asymptotic distribution of the test statistic is considered significant if the value is less than 0.05 (SPSS, 1999).

[1] This count excludes private and tribal colleges, which when combined brings the total community colleges in the United States in 1998 to 1,163.

Faculty have a participatory role in governance in areas outside of the traditional academic decisions of curriculum and student evaluation. The most commonly cited areas of faculty participation, expressed as a percentage of contracts reviewed, were grievance (93%), faculty evaluation processes (52%), sabbatical recommendations (49%), retrenchment (42%), the college calendar (40%), and curriculum (39%). In the following examples, article numbers (as utilized in the contracts) are included for reference.

Faculty are often active participants either in the evaluation process via peer review or in design and implementation of the evaluation instruments. For example, the Maine Technical College System contract stipulates that the "*evaluation process shall be developed by Administrative Faculty Development Committee with the approval of the college faculty president*" (Article 5B, NEA, 1998-99). Flathead Valley Community College's contract states "*the College and Association agree to implement an instructor evaluation process for pro and posttenured faculty that is developed jointly and mutually agreed upon*" (Article 11.000 B, NEA,1998-99). Brevard Community College's contract states:

> *A joint committee of six (6) faculty appointed by UFF-BCC [United Faculty of Florida – Brevard Community College] and six (6) BCC Administrators/Professionals chaired by the faculty and administration will meet at least once a year to review the Performance Enhancement Plan and its forms. Any changes in the Performance Enhancement Plan must be agreed to by more than two-thirds (%) of the entire twelve (12) person committee* (Article 13, section 3, NEA, 1998-99).

The participatory nature of these clauses can be contrasted with the stronger management position found in other contracts "teaching faculty members shall be

evaluated whenever deemed necessary by the administration" (Finger Lakes Community College, Article VII, NEA, 1998-99).

Many contracts contain language which specifies a role for faculty in general institutional decision-making as demonstrated by Broward County Community College's 1995-98 contract which states "*wherever possible, campus decisions shall be the result of dialogues between relevant administrative, departmental, and affected faculty and staff*" (Article 2.92, NEA, 1998-99). Massachusetts Community College Council's contract, in effect between 1990 and 1993 stipulates the creation of a "*Joint Study Committee to resolve matters of concern, contract issues, identify root causes of problems*" (Article IIA.01) and outlines a governance structure that "*shall provide for an open forum for discussion and information sharing for the purpose of providing the President of the college with advisory input prior to the promulgation of college policy*" (Article IVA.01, NEA, 1998-99).

Forty-two percent of the contracts stipulate involvement of the faculty association or senate in retrenchment proceedings. The 1995-98 faculty contract for Edison State Community College states that as a result of financial exigency or discontinuation or curtailment of an academic program, a preliminary report shall be submitted to the affected unit(s) and to the President of the Association. If the Association objects to the report, a Joint Review Committee will be convened by the President consisting of two individuals selected by the College President and two selected by the Association. The Joint Committee will be chaired by the Chief Academic Officer, and the committee is to make recommendations to the College

President (Article XVIII, a., b., NEA 1998-99). Central Ohio Technical College's 1993-95 contract, consistent with many other institutions with faculty participation in retrenchment, states that faculty recommendations regarding proposed retrenchment "*shall be considered by the College administration before implementing a reduction in staff*" (Article XII, B. 3, NEA, 1998-99). Faculty working under the 1993-97 contract at Monroe Community College have the ability to take the offensive rather than defensive position during financial crises: their contract states that when a layoff is anticipated due to financial exigency, the Faculty Association and the College will "*discuss possible ways of avoiding such a layoff*" (Article VIII, C., NEA, 1998-99).

Over one-third (38%) of the contracts require faculty participation in the hiring of new faculty. Camden County Community College provides an example of strong faculty participation in the selection of faculty.

> *Faculty status and related matters are shared responsibility. The faculty in each academic department shall annually elect three of its tenured members to serve as a committee which shall share equal responsibility with departmental chairpersons who shall be a member of it, and with the President or his designee, in the interviewing and selection of new faculty in that academic department* (Article XXVI, NEA,1998-99).

Faculty are contractually bound to joint action with administration in decision-making in limited governance areas, primarily grievance (83%). Contracts containing a binding arbitration clause were coded "joint action" as both sides contribute jointly to the final decision that is left to an outside arbitrator. There were other areas where faculty are involved with management in institutional decision-making such as planning "*long-range institutional planning shall be conducted cooperatively by the*

*Administration and the Faculty*" (Jackson Community College, Article XIII, NEA, 1998-99) and policy making, for which the Minnesota State Colleges and Universities agreement with United Technical College Educators (1995-97) outlines the governance role of the Senate: "*the purpose of the Senate is to provide a forum for campus faculty to act in full partnership with campus administration in determination of campus operations, policy and planning prior to decision making*" (Article 9, NEA, 1998-99). A small number of contracts utilize the term "shared governance", such as Henry Ford Community College where the contract describes a Probationary Teacher Mentor Committee charged with providing probationary faculty with information on policies and procedures "with particular emphasis upon the shared governance structure of the College" (Article V, NEA, 1998-99).

Management typically retains a broad spectrum of rights both specifically stated in "management rights" clauses and by state statute. Management rights clauses in contracts range from the broad "*it is the responsibility of the Board to administer the schools within the district in accordance with Wisconsin Statutes, Chapter 38, and in conformance with the Constitution and Laws of the State of Wisconsin and the Constitution and Laws of the United States of America*" of Madison Area Technical College's 1992-2000 contract (Article II, NEA, 1998-99), to the very specific. Brevard Community College's management rights "and prerogatives" clause begins:

> *The Employer expressly reserves and retains, to the maximum extent permitted by law, each and every right and prerogative that it has ever had and enjoyed at any time in the absence of any collective bargaining relationship whatsoever, whether exercised or not, and as if the collective bargaining relationship did not in fact exist…*

The clause goes on to say:

> *The reservation or retention of management rights or prerogatives...refers to the right to implement any decision coming within that reservation or retention, without prior bargaining over the impact of effects of such decision upon unit employees* (Sections 1 and 3, NEA, 1998-99).

Although the focus of our analysis is on areas where faculty participate in institutional decision-making as an economizing behavior, this bias should not detract from the fact that of the 4,816 artifacts coded across the documents, the issues are silent or left to management's discretion in 67% of the cases. While retaining the ultimate legal authority for institutional operations, management has also retained the rights to create new positions, effective in 92% of the contracts (categories of "silent" and "management" combined), to make program changes (88%), to hire managers (86%), to manage fiscal policies (79%) and to make tenure decisions (67%). Overall, in fifty-five percent of the contracts our variables for governance areas were not addressed or there was no indication of the process of decision-making. The overall silence in many governance areas found in collective agreements gives management broad rights. The large percentage of silent areas not only gives the impression of broad rights for management, but also raises the question whether there are processes for policies and procedures outside of the collective agreements, which would provide for a more complete picture of governance within institutions. The issue of silence also raises the question of appropriateness of the variables in the research. Harassment, for example, is a variable addressed in less than 1% of the contracts. There are other governance areas

which were not selected for inclusion, such as intellectual property rights, significant for faculty in four-year institutions (Rhoades, 1998) and increasingly important for faculty in two-year institutions working in distance learning environments, which should be included in further analyses of the data.

The findings focus on a sample of areas where the role of faculty helps to frame institutional decision-making. Work between faculty and administration is shared: faculty are an integral part of the operations of the institutions, over and above their teaching role. These behaviors if viewed as economizing behaviors provide a framework for reconceptualizing shared governance as an economizing behavior responsive to and consistent with the global economy.

**Limitations**

The current study provides a description of faculty participation as an economizing behavior in community colleges in a number of governance areas. The study takes narrow view of what constitutes "shared" governance, as outlined by coding decisions. We attempt to separate "participatory" governance from "shared" governance, which may be a limitation if the conventional view of governance allows for utilization of the terms interchangeably.

There are also opportunities for coding errors. A sample of the documents was validated by a content expert and a number of documents were re-coded over time to check for reliability, but the potential for measurement error caused by coding errors and manual posting of data does exist. The majority of documents were coded from a secondary source, the HECAS CD ROM (NEA, 1995-96, 1998-99). It is relevant that

the collective agreements were a snapshot in time, and reflect only the publishable outcomes of negotiations. The reality of campus governance may be very different from the pictures the agreements present.

The researchers made no attempt to gather ancillary documents from institutions, such as board policy agreements, human resource policy manuals, or organizational charts and committee structures which may have broadened the perspective of faculty's participation in governance. Assumptions were made relative to the coding of colleges' committee participation in the governance areas. For instance, if a sabbatical committee was involved in the selection of sabbatical candidates, an assumption was made that there were faculty participants on the sabbatical committee. This assumption was narrowly constrained, meaning that it was only utilized in such areas where faculty normally would be participants on the committees.

**Implications**

The historical conception of the community college as a bureaucratic and even autocratic institution places faculty in a position of limited power in institutional decision-making. However, this study indicates that centralization of decision-making through collective bargaining has not limited faculty in their participation in governance but rather through contractual agreements expanded their influence and their participation in governance in a number of areas (Toma, 2001). At the same time, management, in an effort to improve productivity and efficiency, has attempted to increase employee participation in governance (Levin, 2001a). Economizing behaviors,

represented by faculty participation in governance, are evident in community colleges and are consistent with community colleges' integration into the global economy.

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# Appendix

**Table 1**

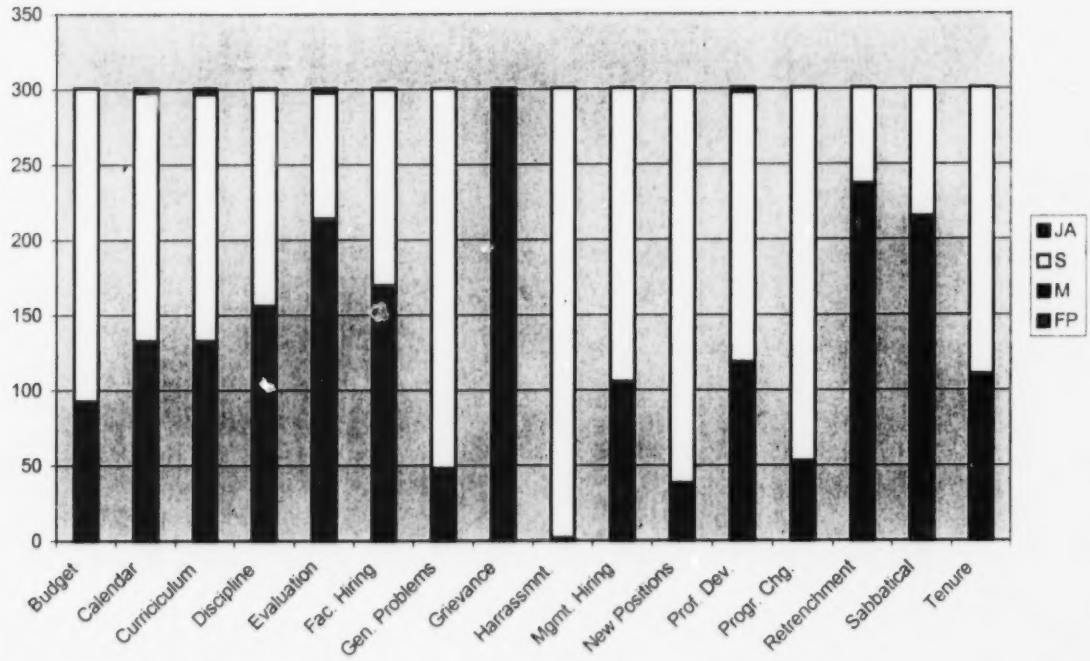
**Governance Areas as Coded**

| | Budget | | Calendar | | Curriculum | | Discipline | | Evaluation | | Faculty Hiring | | General Problems | | Grievance | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | N | % | N | % | N | % | N | % | N | % | N | % | N | % | N | % |
| FP* | 62 | 21% | 118 | 39% | 115 | 38% | 111 | 37% | 153 | 51% | 107 | 36% | 47 | 16% | 30 | 10% |
| M | 31 | 10% | 15 | 5% | 18 | 6% | 45 | 15% | 61 | 20% | 63 | 21% | 1 | 0% | 19 | 6% |
| S | 208 | 69% | 165 | 55% | 164 | 54% | 144 | 48% | 84 | 28% | 130 | 43% | 253 | 84% | 2 | 1% |
| JA | 0 | 0% | 3 | 1% | 4 | 1% | 1 | 0% | 3 | 1% | 1 | 0% | 0 | 0% | 250 | 83% |
| Total | 301 | | 301 | | 301 | | 301 | | 301 | | 301 | | 301 | | 301 | |

| | Harassment | | Management Hiring | | New Positions | | Professional Development | | Program Changes | | Retrenchment | | Sabbatical | | Tenure | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | N | % | N | % | N | % | N | % | N | % | N | % | N | % | N | % |
| FP | 0 | 0% | 44 | 15% | 23 | 8% | 88 | 29% | 34 | 11% | 125 | 42% | 146 | 49% | 98 | 33% |
| M | 2 | 1% | 62 | 21% | 15 | 5% | 31 | 10% | 19 | 6% | 112 | 37% | 69 | 23% | 13 | 4% |
| S | 299 | 99% | 195 | 65% | 263 | 87% | 179 | 59% | 248 | 82% | 64 | 21% | 86 | 29% | 190 | 63% |
| JA | 0 | 0% | 0 | 0% | 0 | 0% | 3 | 1% | 0 | 0% | 0 | 0% | 0 | 0% | 0 | 0% |
| Total | 301 | | 301 | | 301 | | 301 | | 301 | | 301 | | 301 | | 301 | |

*FP = Faculty Participation
M = Management
S = Silent
JA = Joint Action
N = Number of contract incidences

**Chart 1**
**Governance Summary**



## Table 2
## Contracts Sorted by Faculty Participation/Joint Action & Management/Silent

| | FP N | JA N | % of Total | | M N | S N | % of Total |
|---|---|---|---|---|---|---|---|
| Grievance | 30 | 250 | 93% | Harassment | 2 | 299 | 100% |
| Evaluation | 153 | 3 | 52% | New Positions | 15 | 263 | 92% |
| Sabbatical | 146 | 0 | 49% | Program Changes | 19 | 248 | 89% |
| Retrenchment | 125 | 0 | 42% | Management Hiring | 62 | 195 | 85% |
| Calendar | 118 | 3 | 40% | General Problems | 1 | 253 | 84% |
| Curriculum | 115 | 4 | 40% | Budget | 31 | 208 | 79% |
| Faculty Hiring | 107 | 1 | 36% | Professional Development | 31 | 179 | 70% |
| Discipline | 111 | 1 | 37% | Tenure | 13 | 190 | 67% |
| Tenure | 98 | 0 | 33% | Faculty Hiring | 63 | 130 | 64% |
| Professional Development | 88 | 3 | 30% | Discipline | 45 | 144 | 63% |
| Budget | 62 | 0 | 21% | Curriculum | 18 | 164 | 60% |
| General Problems | 47 | 0 | 16% | Calendar | 15 | 165 | 60% |
| Management Hiring | 44 | 0 | 15% | Retrenchment | 112 | 64 | 58% |
| Program Changes | 34 | 0 | 11% | Sabbatical | 69 | 86 | 51% |
| New Positions | 23 | 0 | 8% | Evaluation | 61 | 84 | 48% |
| Harassment | 0 | 0 | 0% | Grievance | 19 | 2 | 7% |
| Total | 1301 | 265 | 33% | | 576 | 2674 | 67% |

**Table 3**
**Test Statistics**

| | Bud | Cal | Cur. | Dis | Eval | Fac. Hir. | Gen. Prob. | Griev. | Har. | Mg. Hir. | New Pos. | Prof. Dev. | Progr. Chg. | Retr. | Sabb. | Tenur |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Chi Sq. | 178.09 | 248.94 | 236.6 | 165.22 | 153.42 | 128.4 | 358.99 | 546.38 | 293.05 | 135.59 | 395.91 | 240.59 | 327.12 | 20.578 | 32.618 | 156.21 |
| df | 2 | 3 | 3 | 3 | 3 | 3 | 2 | 3 | 1 | 2 | 2 | 3 | 2 | 2 | 2 | 2 |
| Asym p. Sig. | .000 | .000 | .000 | .000 | .000 | .000 | .000 | .000 | .000 | .000 | .000 | .000 | .000 | .000 | .000 | .000 |

a. 0 cells (.0%) have expected frequencies less than 5. The minimum expected cell frequency is 100.3.
b. 0 cells (.0%) have expected frequencies less than 5. The minimum expected cell frequency is 75.3.
c. 0 cells (.0%) have expected frequencies less than 5. The minimum expected cell frequency is 150.5.

Key
Bud. = Budget
Cal. = Calendar
Dis. = Discipline
Eval. = Evaluation
Fac. Hir. = Faculty Hiring
Gen. Prob. = General Problems
Griev. = Grievance
Har. = Harassment
Mg. Hir. = Management Hiring
New Pos. = New Positions
Prof. Dev. = Professional Development
Prog. Chg. = Program Changes
Retr. = Retrenchment
Sabb. = Sabbatical
Tenure = Tenure